

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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JESUS A. VILLEGRAS,

Plaintiff,

2:13-cv-01940-JAD-VCF

VS.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

ORDER

Before the court is Plaintiff Jesus A. Villegas's amended complaint (#8¹). On October 23, 2013, Plaintiff filed suit, alleging that (1) he is disabled as that term is defined in the Social Security Act, (2) he filed an application for disability insurance benefits, (3) participated in a hearing before an ALJ, and (4) the ALJ issued a decision denying plaintiff's claim for benefits. (*See generally* Compl. #1).

Pursuant to 28 U.S.C. § 1915(a), the court reviewed Plaintiff's complaint and held a hearing on November 20, 2013 in order to determine whether Plaintiff initiated this action within the sixty-day time limit set by 42 U.S.C. § 405(g). (See Mins. Proceedings #5).

On December 23, 2013, Plaintiff filed an amended complaint, which demonstrates that Plaintiff's action is timely under 42 U.S.C. § 405(g). (See Amend. Compl. (#8) at 10). On August 27, 2913, Plaintiff received notice of the Appeals Council's final decision. (*Id.*) On October 23, 2013, which was fifty-seven days later, Plaintiff filed suit. (See Compl. #1). Plaintiff's action, therefore, is timely under 42 U.S.C. § 405(g).

¹ Parenthetical citations refer to the court's docket.

1 ACCORDINGLY, and for good cause shown,

2 IT IS ORDERED that the Clerk of the Court file the Complaint (#8) and serve the Commissioner
3 of the Social Security Administration by sending a copy of the summons and Complaint (#8) by certified
4 mail to: (1) General Counsel, Social Security Administration, Room 611, Altmeyer Bldg., 6401 Security
5 Blvd., Baltimore, Maryland 21235; (2) the Attorney General of the United States, Department of Justice,
6 950 Pennsylvania Avenue, N.W., Room 4400, Washington, D.C. 20530; and (3) Office of the Regional
7 Chief Counsel, Region IX, Social Security Administration, 160 Spear St., Suite 899, San Francisco, CA
8 94105-1545.

9 IT IS FURTHER ORDERED that the Clerk of Court issue summons to the United States
10 Attorney for the District of Nevada and deliver the summons and Complaint (#8) to the U.S. Marshal for
11 service.

12 IT IS FURTHER ORDERED that from this point forward, plaintiff must serve upon Defendant,
13 or his attorney if he has retained one, a copy of every pleading, motion, or this document submitted for
14 consideration by the court. Plaintiff must include with the original paper submitted for filing a certificate
15 stating the date that a true and correct copy of the document was mailed to the defendants or their
16 counsel. The court may disregard any paper received by a district judge, magistrate judge, or the Clerk
17 which fails to include a certificate of service.

18 DATED this 13th day of January, 2014.

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21 CAM FERENBACH
22 UNITED STATES MAGISTRATE JUDGE